

# **EXHIBIT 1**



U.S. Department of Justice

Criminal Division

Fraud Section

Washington, D.C. 20530

October 9, 2024

U.S. Department of Justice  
Criminal Division, Fraud Section  
10<sup>th</sup> & Constitution Avenue, NW  
Bond Building  
Washington, DC 20530

Email: [victimassistance.fraud@usdoj.gov](mailto:victimassistance.fraud@usdoj.gov)

Re: United States v. The Boeing Company  
Court Docket 4:21-CR-005-O (N.D. Tex.)

To Whom it May Concern:

We are contacting you because you have been determined to be a crime victim pursuant to a court order dated October 21, 2022, in *United States v. The Boeing Company*, a federal criminal case pending in the United States District Court for the Northern District of Texas. This case is being jointly handled by the U.S. Department of Justice's Criminal Division, Fraud Section, and the U.S. Attorney's Office for the Northern District of Texas (collectively, the "Government" or "Department"). Crime victims are entitled to certain rights and services, as described further in this letter. As a victim witness professional, my role is to assist you with information and services during the pendency of the above-captioned case.

We are writing to **request information and records related to potential restitution claims** for financial losses incurred due to Boeing's offense.

As you know, the Court is considering whether to accept Boeing's guilty plea pursuant to the plea agreement the parties presented to the Court on July 24, 2024. But whether Boeing pleads guilty or is found guilty at trial, the Court will need to determine how much in restitution Boeing owes to the families of the crash victims. (If Boeing were found not guilty at trial, the Court could not order any restitution.) And because of the large number of families, and the particular circumstances of each family, this will require the collection and analysis of a large volume of information. The Court would be assisted in this process by the Probation Office, which would submit its restitution recommendation. And the Court also would look to the Government and Boeing to present their respective views on restitution.

Under the proposed plea agreement, the Government has committed to support all lawful claims for restitution submitted by the families. The sooner you submit the information needed to assess your restitution claim, the better positioned the Government will be to determine its position on your claim. We have therefore created an online Questionnaire that is designed to help you

provide the information the Government needs. The Questionnaire is available in English, Amharic, Bahasa, French, German, Norwegian, and Mandarin.

We ask that you please **complete the Questionnaire and provide the requested supporting records by November 15, 2024**.

Some of you have previously submitted information and records that relate to claims for restitution. We appreciate that you submitted those materials, which we have reviewed and we will consider as part of our analysis regarding restitution. However, even if you already submitted such information, we respectfully request that you also please complete the online Questionnaire and submit the records as requested in the Questionnaire.

Below you will find links to the Questionnaire. We recommend that you first carefully review the Questionnaire and collect the responsive information and records before ultimately returning to the Questionnaire to complete it online.

English: <https://app.smartsheetgov.com/b/form/28718f5049134e368b1bcb7fa448316b>

Amharic: <https://app.smartsheetgov.com/b/form/4f770a5aed9045f39f0a74ce5e440e21>

Bahasa: <https://app.smartsheetgov.com/b/form/99b5b531b6d04c99aa0a8767c485edf5>

French: <https://app.smartsheetgov.com/b/form/796243f4728a45668f739e3f0004b413>

German: <https://app.smartsheetgov.com/b/form/60d102cc31f2481392fa84e2f8752709>

Norwegian: <https://app.smartsheetgov.com/b/form/e25c3ea8070a4e9daeec3f7f95fdfa63>

Mandarin: <https://app.smartsheetgov.com/b/form/32629d170cda4a1bba3515dac3cf88f5>

Below are Frequently Asked Questions with further information about restitution. Enclosed with this correspondence are the same Frequently Asked Questions in each of the six non-English languages listed above.

If you have any questions or issues with the online Questionnaire, please send an email to [victimassistance.fraud@usdoj.gov](mailto:victimassistance.fraud@usdoj.gov).

### **Frequently Asked Questions**

In the section below, the Government provides answers to questions that you might have. Please remember that this is not intended as legal advice, that the attorneys for the Government are not your attorney, and that if you wish to consult with an attorney, you may do so at your own cost.

1. *Why are you requesting this information?*

In federal court, a convicted offender may be ordered to reimburse victims for financial losses incurred due to the offender's crime. This reimbursement is called "restitution," and it may be ordered for lost income, property damage, counseling, medical expenses, funeral costs or other financial costs directly related to the crime. Some financial losses are not eligible for restitution,

such as state or federal taxes, interest, penalties or fines; expenses for private legal representation relating to personal or business legal issues raised by the crime; fees for tax advisors, accountants, or other professionals; and legal expenses for the civil recovery of financial losses. Losses for “pain & suffering” are also not eligible for restitution.

To determine the amount of restitution to be ordered, the U.S. Probation Office gathers financial loss information from the investigative agents, the prosecutors, and victims or their representatives.

The Government will support any legally authorized claim for restitution by Crash Victim Families against The Boeing Company (“Boeing”). In order to assess any claim for restitution, the Government needs the information and records that it is requesting.

2. *Who decides what restitution I am owed?*

The Court will decide what restitution, if any, is owed to each victim. The U.S. Probation Office will make a recommendation to the Court about restitution based on its review of the evidence related to each victim’s losses. At a restitution hearing, the Government will present to the Court its position on what restitution is legally owed to each victim. Under the law, Boeing is also allowed to take its own position regarding the restitution that it owes to each victim.

The Court may also decline to order restitution if it finds that determining restitution in a case is too complex or would excessively prolong the sentencing process.

3. *Can I attend the restitution hearing?*

Yes, you have a right to attend the restitution hearing but you are not required to attend. You should also be given an opportunity to speak at the restitution hearing if you want to do so.

4. *Why do you need all this information?*

In order to assess any claim for restitution, the Government must understand the specific facts related to each victim’s losses. Under the law, determining lost income requires a complex analysis that involves many different types of information. Most of the information that the Government is requesting relates to the calculation of lost income. The information that the Government is requesting will help the Government, the U.S. Probation Office, and the Court evaluate claims for restitution.

5. *Will you share this information with the Court?*

Yes. The Government will share the information that you provide with the Court through the U.S. Probation Office. The U.S. Probation Office helps the Court collect and analyze the evidence related to sentencing, including restitution. It is necessary for the U.S. Probation Office and the Court to understand the evidence related to restitution before the Court makes its decision. Although the Government will share the information and records that it collects from you with the U.S. Probation Office, the U.S. Probation Office may also directly ask you for additional information.

6. Will you share this information with Boeing?

Yes. As the defendant in this case, Boeing is entitled to receive the information and records that is shared with the Court and the U.S. Probation Office. Boeing has agreed to enter into a protective order, which the Court has issued at the Government's request. Under the protective order issued by the Court, Boeing is limited in how it may use and share the information and records that the Government produces to it.

7. Will my information be made public?

The Government will take steps to protect your personal identifying information in order to avoid revealing it to the public. Personal identifying information includes your name, date of birth, and address, among other information.

8. Am I required to answer these questions?

You are not required to answer these questions. However, the Government needs to know the information that it is requesting in order to decide whether it can support each victim's claim for restitution. If you do not answer these questions, it is possible that the Government will not be able to support some or all of your restitution claims and it may impact your ability to obtain restitution.

9. What documents are required?

The questions include information about what documents the Government is requesting in support of your restitution claim. Depending on the information and documents that you provide, the Government may contact you directly for additional information or documents to support your claim.

10. When are my responses and documents due?

**Please respond by November 15, 2024** so that the Government may have enough time to review and analyze each victim's claim, and so that the Government may share the information and records with the U.S. Probation Office and allow the U.S. Probation Office enough time to conduct its own review and analysis.

11. Why are you asking for this information before the Court has decided whether to accept the proposed plea agreement?

Collecting, reviewing, and analyzing the requested information and records takes a lot of time and resources. The Government will be better positioned to support claims for restitution if it receives the requested information in a timely manner. Even if the Court decides not to accept the proposed plea agreement, and if Boeing is ultimately convicted of an offense through a different plea agreement or after a trial, the information and records we are requesting now will be needed for restitution purposes.

12. Who can I contact if I have a question?

If you have any questions, please send an email to [victimassistance.fraud@usdoj.gov](mailto:victimassistance.fraud@usdoj.gov).

### **Additional Information**

Because charges have been filed in this case in federal court, victims of the charges filed are entitled to the following rights, according to CVRA, Title 18, United States Code, Section 3771: (1) The right to be reasonably protected from the accused; (2) The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused; (3) The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding; (4) The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding; (5) The reasonable right to confer with the attorney for the Government in the case; (6) The right to full and timely restitution as provided in law; (7) The right to proceedings free from unreasonable delay; (8) The right to be treated with fairness and with respect for the victim's dignity and privacy; (9) The right to be informed in a timely manner of any plea bargain or deferred prosecution agreement; and (10) The right to be informed of the rights under this section and the services described in the Victims' Rights and Restitution Act of 1990 (34 U.S.C. § 20141(c)) and provided contact information for the Office of the Victims' Rights Ombudsman of the Department of Justice. Victims may seek the advice of an attorney with respect to these rights.

In addition, a victim of a federal crime is entitled to services under the Victims' Rights and Restitution Act (VRRRA), including notification of court events. For further details, please refer to Title 34, United States Code, Section 20141 or the VRRRA link posted at <https://www.notify.usdoj.gov>.

We will continue to provide you with notifications and services unless you tell us not to. We will make our best efforts to ensure you are provided the rights and services to which you are entitled. You may contact the Victim/Witness Coordinator at the office listed above if you have questions about the progress of your case, your rights or the services to which you are entitled, or how you can assert them during the proceedings. If you believe that a Justice Department employee has not provided you with these rights, you may file a complaint with the Justice Department's Victims' Rights Ombudsman. For more information, go to <http://www.justice.gov/usao/resources/crime-victims-rights-ombudsman>. If you have questions about filing a complaint against an employee, you may contact the Ombudsman by email at [usaeo.VictimOmbudsman@usdoj.gov](mailto:usaeo.VictimOmbudsman@usdoj.gov). Questions concerning this case should be directed to the office listed above.

While our office cannot act as your attorney or provide you with legal advice, you can seek the advice of an attorney with respect to the rights above or other related legal matters.

It is important to keep in mind that the defendants are presumed innocent until proven guilty and that presumption requires both the Court and our office to take certain steps to ensure that justice is served.

If you want to inform the prosecutor of your views regarding any other aspect of the case, please contact us and we will put you in touch with the prosecutor.

Because of the Court's schedule, hearing dates could change on very short notice. If you plan on attending a hearing, you may want to call or email our office to confirm the date and time.

If you have any questions about this notice or want to talk to us directly, please email us at [victimassistance.fraud@usdoj.gov](mailto:victimassistance.fraud@usdoj.gov).

Sincerely,

Victim-Witness Unit  
Fraud Section, Criminal Division  
Department of Justice

encl. (translated Frequently Asked Questions)